

Jan-8-1980

FILE: Minutes File

DESCRIPTION:

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, JANUARY 8, 1980
AT 8:30 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Wilson at 8:43 a.m. A recess was called by Deputy Mayor Lowery at 9:44 a.m. Mayor Wilson reconvened the meeting at 10:05 a.m. with Councilmember Schnaubelt not present.

The meeting was reconvened by Mayor Wilson at 2:18 p.m. with Councilmembers Mitchell, Lowery, Williams, Schnaubelt, and Gotch not present. A recess was called by Mayor Wilson at 3:45 p.m. Mayor Wilson reconvened the meeting at 4:14 p.m. with Councilmembers Lowery, Schnaubelt, and Gotch not present. Mayor Wilson adjourned the meeting at 5:45 p.m.

ATTENDANCE DURING THE MEETING:

(M) Mayor Wilson-present.

(1) Councilmember Mitchell-present.

(2) Councilmember Cleator-present.

(3) Councilmember Lowery-present.

(4) Councilmember Williams-present.

(5) Councilmember Schnaubelt-excused by R-250949 (for vacation).

(6) Councilmember Gotch-excused by R-250956 & R-251022 (for illness).

(7) Councilmember Stirling-present.

(8) Councilmember Killea-present.

Clerk-Abdelnour (eb, bb)

Jan-8-1980 ITEM-310:

FILE: Minutes File

DESCRIPTION:

Mayor's State of the City Address.

COUNCIL ACTION: (Tape location: 064).

Presented.

Jan-8-1980 ITEM-330:

FILE: PERM CUP-527-PC

DESCRIPTION:

(R-80-) (Continued from the meetings of January 2 and 9, and April 10, 1979, for further review.) APPEAL of WARREN SEINSOTH, from the decision of the

PLANNING COMMISSION in REVOKING CONDITIONAL USE PERMIT NO. CUP-527-PC, which

permitted the construction and operation of a residential-care facility for 45 emotionally disabled adults, located on the north side of C Street between 25th Street and 26th Street in the R-4 ZONE. The property is more particularly described as LOTS 39 through 42, W.J. PROUT'S RESUBDIVISION of BLOCK 28, H.W. HIGGINS ADDITION, MAP NO. 838. (DISTRICT-8) (CUP-527-PC) (Planning Department recommended REVOCATION of the permit; was opposition. Planning Commission voted 4-1 to REVOKE the permit.)

Today's action is Adoption of a RESOLUTION granting the appeal and denying the request for revocation of the permit, or denying the appeal and sustaining the revocation of the permit.

NOTE: Hearing closed, testimony taken on 1-2-79; Districts 2 and 7 not present. Hearing closed, no testimony taken on 1-9-79. Hearing closed, no testimony taken on 4-10-79; District 3 not present.

COUNCIL ACTION: (Tape location: 002-058).

Appeal denied as Resolution R-250950. Hearing began 8:43 a.m. Hearing halted 9:39 a.m.

Mayor Wilson out 8:54 a.m.

Testimony in opposition by Robert McMillian, Barbara McCarthy and John Collins.

Testimony in favor by Carol Eckman.

MOTION BY KILLEA TO ADOPT RESOLUTION DENYING THE APPEAL AND SUSTAINING THE REVOCATION OF THE PERMIT BASED ON THE PLANNING DEPARTMENT'S REPORT, EFFECTIVE

IN 60 DAYS TO PERMIT TIME FOR RELOCATION OF THE RESIDENTS. Second by Mitchell. Passed by the following vote: Mitchell-yea. Cleator-yea.

Lowery-yea. Williams-yea. Schnaubelt-not present. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

Jan-8-1980 ITEM-331:

FILE: MEET

DESCRIPTION:

(O-80-117) (Continued from the Meetings of October 9 and December 4, 1979 for full Council at Councilmember Killea's request.) Matter of REZONING a portion of Subarea Q in the GREATER GOLDEN HILL PRECISE PLAN AREA which consists of 6.8 acres in the 34th Street Canyon between Date and B Streets, from ZONE R-2 to ZONE R-1-10. (DISTRICT-8) (CASE-6-79-1 - City-initiated - Drawing No. C-645.1) (Planning Department recommended APPROVAL of R-1-5 Zoning, was opposition. Planning Commission voted 5-1 to APPROVE R-1-10 Zoning with an R-1-5 density designation for PRD's noted on the maps and stated in the community plan with the mesa (flat) land remaining R-2 Zoning.)

Today's action is INTRODUCTION of an ORDINANCE for R-1-10 Zoning.

NOTE: This item is a portion of Subarea Q including the Clement's property. Subareas A through V exclusive of this portion of Subarea Q have been previously introduced and adopted.

Hearing open, no testimony taken on 10-9-79. Hearing open, testimony taken on 12-4-79. District 1 and Mayor not present.

See Item 332.

COUNCIL ACTION: (Tape location: 004-060 and 089-090) Continued indefinitely.

Williams out 3:08 p.m. Williams in 3:15 p.m. Hearing began 2:19 p.m.

Hearing

halted 3:32 p.m. Hearing began 3:42 p.m. Hearing halted 3:43 p.m. Testimony in favor by Tom Webb, and Peter Amato. Testimony in opposition by Gerry Dawson.

Motion by Killea to close hearing and adopt R-1-5 zoning. Second by Mitchell.

Failed by the following vote: Yeas-Mitchell, Williams, and Killea.

Nays-Cleator, and Stirling. Not present-Schnaubelt and Gotch.

Abstained-Wilson.

MOTION BY KILLEA TO CONTINUE INDEFINITELY. Second by Stirling. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-not present.

Williams-yea. Schnaubelt-not present. Gotch-not present. Stirling-yea.

Killea-yea. Mayor Wilson-not present.

Jan-8-1980 ITEM-332:

FILE: SUBD Golden Hills Villas

DESCRIPTION:

(Continued from the Meetings of November 20 and December 4, 1979 for full Council at Councilmember Killea's request.) APPEAL of PETER AMATO from the decision of the PLANNING COMMISSION in APPROVING the TENTATIVE SUBDIVISION MAP

of GOLDEN HILLS VILLAS, which proposes a one-lot subdivision of a portion of PUEBLO LOT 1140, CHOATES ADDITION, MAP-351 and a portion of MORSE, WHALEY and

DALTON ADDITION, MAP-516. The subject property is located west of Whaley Avenue between Ash and Beech Streets in the R-2 (HR) ZONE and within the boundaries of the Park Northeast Community Plan. (DISTRICT-8) (TM-79-127)

Subitem-A: (R-80-)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-79-03-50 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the the Council;

Subitem-B: (R-80-)

Adoption of a RESOLUTION granting the appeal and denying the map, or denying

the appeal and granting the map with appropriate findings to support Council action; and

Subitem-C: (R-80-)

Adoption of a RESOLUTION containing the findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with ENVIRONMENTAL IMPACT REPORT EIR-79-03-50.

NOTE: The project proponent must furnish Council with the proposed findings in keeping with Section 21081 of the California Public Resources Code.

Hearing open, no testimony taken on 11-20-79. Hearing open, testimony taken on 12-4-79. District 1 and Mayor not present.

COUNCIL ACTION: (Tape location: 060-088)

Subitem-A adopted as Resolution R-250952

Subitem-B adopted as Resolution R-250953

Subitem-C adopted as Resolution R-250954

Hearing began 3:16 p.m. Hearing halted 3.47 p.m.

Mayor Wilson out 3:26 p.m.

Testimony in favor by Peter Amato, Sascha Carson, and Rich Glasner.

Testimony in opposition by Gerry Dawson.

MOTION BY KILLEA TO ADOPT (A), DENY THE APPEAL AND GRANT THE MAP (B), AND

ADOPT WITH AMENDMENT THAT 72 UNITS BE CONSTRUCTED INSTEAD OF 82 (c).
Second

by Stirling. Passed by the following vote: Mitchell-yea. Cleator-yea.

Lowery-not present. Williams-yea. Schnaubelt-not present. Gotch-not present. Stirling-yea. Killea-yea. Mayor Wilson-not present.

Jan-8-1980 ITEM-333:

FILE: MEET

DESCRIPTION:

Matter of REZONING LOTS 17 through 22, BLOCK 52, MORENA, MAP NO. 809 (approximately 18,730 square feet), located on the west side of Erie Street between Clairemont Drive and Ingulf Street, in the Clairemont Mesa Community Plan area, from ZONE R-1-5 to ZONE R-3. (DISTRICT-6) (CASE-20-79-1) (Planning Department recommended APPROVAL of R-3 Zoning; was opposition. Planning Commission voted 3-3 to APPROVE R-3 Zoning. Due to lack of four affirmative votes this is deemed a DENIAL. If this rezoning is approved by the Council, it is subject to the recordation of a final subdivision map or maps within two years.)

Today's action is:

Subitem-A: (R-80-1057)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-79-07-53 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council; and

Subitem-B: (O-80-183)

INTRODUCTION of an ORDINANCE for R-3 Zoning.

COUNCIL ACTION:

(Tape location: 091-099 and 132-178)

Subitem-A continued to

January

29, 1980, 2:00 p.m. Time Certain.

Subitem-B continued to January 29, 1980,
2:00 p.m. Time Certain.

Hearing began 4:16 p.m. Hearing halted 4:25
p.m. Hearing began 4:58 p.m. Hearing halted 5:43 p.m.

Testimony in favor by Mr. Wyman, Mr. Petakovich, and Donald Brier.
testimony in opposition by Raymond Hahn, Bonnie Angel, Guy Wenton, Walter Carrigan, L. G. Pierce, Marion Chipps, and Tom Pearson.

MOTION BY STIRLING TO CONTINUE TO JANUARY 29, 1980, 2:00 p.m. TIME
CERTAIN,

AT MR. HAHN AND MR. PETAKOVICH'S REQUEST. Second by Cleator. Passed by the
following vote: Mitchell-yea. Cleator-yea. Lowery-not present.

Williams-

yea. Schnaubelt-not present. Gotch-not present. Stirling-yea.

Killea-

yea. Mayor Wilson-yea.

Jan-8-1980 ITEM-334:

19800108

FILE: SUBD - Briarwood Vistas

DESCRIPTION:

APPEALS of MR. & MRS. STEVE MADRID and PARADISE SKYLINE HILLS
COMMUNITY

PLANNING GROUP, by Marjorie E. Braham, from the decision of the PLANNING
COMMISSION in APPROVING TENTATIVE SUBDIVISION MAP TM-79-312
(BRIARWOOD VISTAS)

which proposes a 42-lot subdivision of a portion of SECTIONS 51 and 54, RANCHO
DE LA NACION. The subject property is located at the southwest corner of
Paradise Valley Road and Briarwood Road in the R-1-5 ZONE and within the

boundaries of the South Bay Terraces Community Plan. (DISTRICT-4) (TM-79-312)
(Planning Department recommended APPROVAL of the tentative map; was
opposition. Planning Commission voted 5-0 to APPROVE the tentative map.)
Today's action is:

Subitem-A: (R-80-)

Adoption of a RESOLUTION certifying that the information contained in
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT EIR-76-09-49-S16 has been
completed
in compliance with the California Environmental Quality Act of 1970 and State
guidelines, and that said supplemental report has been reviewed and considered
by the Council;

Subitem-B: (R-80-)

Adoption of a RESOLUTION granting the appeal and denying the map, or denying
the appeal and granting the map with appropriate findings to support Council
action; and

Subitem-C: (R-80-)

Adoption of a RESOLUTION containing appropriate findings of mitigation,
feasibility or project alternatives pursuant to California Public Resources
Code Section 21081 in connection with SUPPLEMENTAL ENVIRONMENTAL IMPACT
REPORT
EIR-76-09-49-S16.

NOTE: The project proponent must furnish Council with the proposed findings
in keeping with Section 21081 of the California Public Resources Code.

COUNCIL ACTION: (Tape location: 104-132)

Subitem-A continued to January 29, 1980, 4:00 p.m.

Subitem-B continued to January 29, 1980, 4:00 p.m.

Subitem-C continued to January 29, 1980, 4:00 p.m.

Hearing began 4:29 p.m. Hearing halted 4:57 p.m.

Testimony in favor by Steve Madrid, Ed Spencer, Dan Marks, and
Bruce Warren.

MOTION BY WILLIAMS TO CONTINUE TO JANUARY 29, 1980, 4:00 P.M. AT HIS
REQUEST.

Second by Stirling. Passed by the following vote: Mitchell-yea.

Cleator-yea. Lowery-not present. Williams-yea. Schnaubelt-not present.

Gotch-not present. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Jan-8-1980 ITEM-335:

FILE: PERM - MIP-7

DESCRIPTION:

(R-80-) APPEAL of JOHN BURNHAM & COMPANY, by Candy Dickard, from the decision of the PLANNING COMMISSION in DENYING under MANUFACTURING INDUSTRIAL

PERMIT NO. MIP-7, AMENDMENT NO. 3, a request for a second freestanding identification sign for property located at the northeast corner of Morena Boulevard and Ariane Drive, in the M-1P ZONE. The property is more particularly described as LOT 1, VIEW TERRACE, MAP NO. 7054. (DISTRICT-1) (MIP-7/AMEND. NO. 3) (Planning Department recommended DENIAL of the amendment to the permit; was opposition. Planning Commission voted 7-0 to DENY the amendment to the permit.)

Today's action is adoption of a RESOLUTION granting or denying the appeal and the amendment to the permit.

NOTE: The Environmental Quality Division has stated this project is exempt from CEQA review.

COUNCIL ACTION: (Tape location: 002-004 and 089-091) Continued to January 29, 1980,

4:00 p.m. Hearing began 2:18 p.m. Hearing halted 2:20 p.m. Hearing began

4:14 p.m. Hearing halted 4:16 p.m.

MOTION BY KILLEA TO CONTINUE TO JANUARY 29, 4:00 p.m. AT MS. PAT LUKJANCZYK'S

REQUEST. Second by Stirling. Passed by the following vote: Mitchell-yea.

Cleator-yea. Lowery-not present. Williams-yea. Schnaubelt-not present.

Gotch-not present. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Jan-8-1980 ITEM-S500:

FILE: MEET

DESCRIPTION:

Matter of authorizing the CITY MANAGER to ADVERTISE FOR BIDS for REMODELING the 10th floor, City Administration Building.

COUNCIL ACTION: (Tape location: 058). Adopted as Resolution R-250951.

MOTION BY STIRLING TO ADOPT. Second by Gotch. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-not present. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

Jan-8-1980 ITEM-UC-2:

FILE: MEET

DESCRIPTION:

A Resolution presented to the City Council with UNANIMOUS CONSENT:

That the Council continues to support the current designation of the Air Pollution Control Board and the Comprehensive Planning Organization (CPO) as co-lead agencies for air quality planning within the region, and that the

Council requests that the Air Quality Policy Advisory Committee, with assistance from the Program Coordination Group, undertake a review of the current Air Management Process Group, undertake a review of the current Air Management Process and recommend appropriate changes to improve its operation.

COUNCIL ACTION: (Tape location: 100-105).

ADOPTED AS RESOLUTION R-250955 MOTION BY STIRLING TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea. Cleator-yea.

Lowery-not present. Williams-yea. Schnaubelt-not present. Gotch-not present. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Jan-8-1980

ITEM-UC-3:

FILE: MEET

DESCRIPTION:

(R-80-1239) A Resolution presented to the City Council with UNANIMOUS CONSENT:

Excusing Councilman Mike Gotch from the afternoon portion of the January 8, 1980, Council Meeting due to illness.

COUNCIL ACTION:

COUNCIL ACTION: (Tape location: 100-105)

Adopted as Resolution R-250956.

MOTION BY STIRLING TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-not present. Williams-yea. Schnaubelt-not present. Gotch-not present. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Jan-8-1980 ITEM-UC-4:

FILE: MEET

DESCRIPTION:

A Resolution presented to the City Council with UNANIMOUS CONSENT: Commending Patricia Stroud, 9 years old, and William Jamieson Mitchell, 15 years old, for their role in the apprehension of three alleged burglars of the National University on January 3, 1980.

COUNCIL ACTION: (Tape location 100-105). Adopted as Resolution R-250957.

MOTION BY KILLEA TO ADOPT. Second by Williams. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-not present. Williams-yea. Schnaubelt-not present. Gotch-not present. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Jan-8-1980 ADJOURNMENT:

FILE: Minutes File

DESCRIPTION:

Meeting adjourned at 5:45 p.m. by Mayor Wilson in memory of Clarence Harden, Superior Court Judge, and Nana McMillen Porter Berlin, homemaker and widow of Roscoe S. Porter.

COUNCIL ACTION:

MOTION BY KILLEA TO ADJOURN. Second by Lowery. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-not present. Gotch-not present. Stirling-yea. Killea-yea. Mayor Wilson-yea.